UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ILLINOIS

GARY SPANO, JOHN BUNK, JAMES WHITE, JR. and VICTOR DUBBS,))
Plaintiffs,) Cause No. 06-CV-743
v. THE BOEING COMPANY, EMPLOYEE)
BENEFITS PLAN COMMITTEE, AND SCOTT M. BUCHANAN,)
Defendants.)) _)

MOTION OF ALL DEFENDANTS TO STRIKE JURY DEMAND

Come now defendants The Boeing Company, Employee Benefits Plan

Committee and Scott M. Buchanan and move this Court for an order striking plaintiffs'

jury demand for the reason that plaintiffs have no right to jury trial in this ERISA action,

all as set forth more fully in the Memorandum of Law filed contemporaneously herewith.

A proposed order is submitted with this motion.

Dated: December 1, 2006 Respectfully submitted,

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2

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CERTIFICATE OF SERVICE

I hereby certify that the Motion Of All Defendants To Strike Jury Demand was filed electronically with the Court on this 1st day of December, 2006, and a copy was sent via the Court's electronic filing system notification to:

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